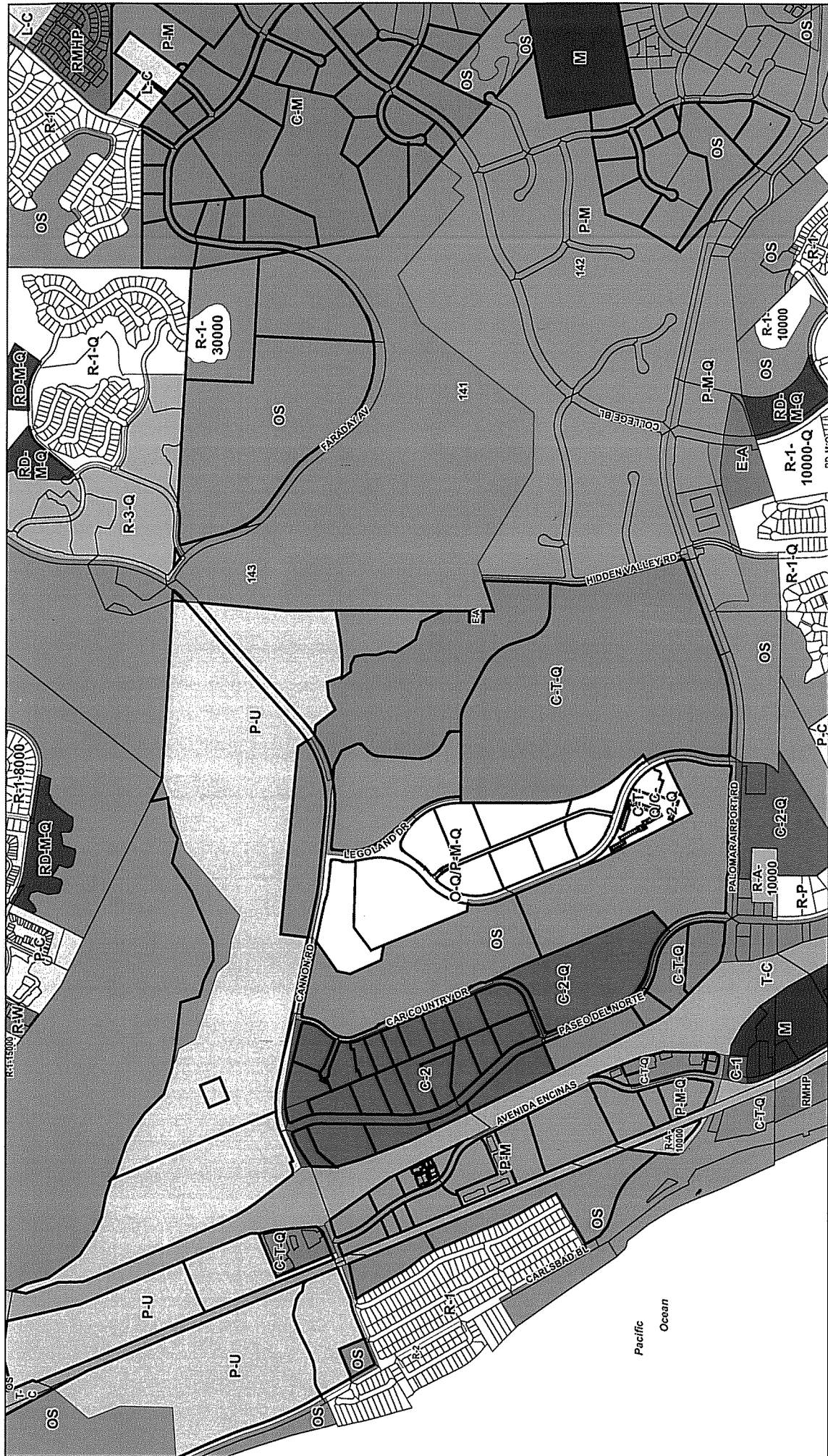


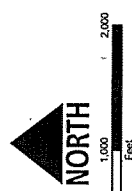
3. ZONING DOCUMENTS



- Legend**
- Exclusive Agricultural
 - Residential Agricultural
 - Rural Residential Estate
 - One - Family Residential
 - Two - Family Residential
 - Multiple - Family Residential
 - Residential Mobile Home Park
 - Residential Density - Multiple
 - Residential Professional
 - Residential Tourist
 - Residential Waterway
 - Transportation Corridor
 - General & Neighborhood Commercial
 - Office
 - Heavy & Tourist Commercial
 - Industrial
 - Planned Industrial
 - Public Utility
 - Village Redevelopment
 - Planned Community
 - Unlimited Control
 - Open Space
 - Multiple Designations



Zoning Designations



Adopted by the City Council on 11/11/09
 Amended by the City Council on 11/11/09
 Amended by the City Council on 11/11/09



CITY OF CARLSBAD SUMMARY OF ZONING REQUIREMENTS*

ZONE	PERMITTED USES	DEVELOPMENT STANDARDS						
		LOT (minimums)			SETBACKS or YARDS (minimums)**			
		Area	Width	Depth	Front	Side	Rear	BUILDING (maximums) Height Coverage
AGRICULTURE	E-A Exclusive Agriculture, Chapter 21.07	10 acres (a)	300 ft	(b)	40 ft	15 ft	25 ft	30 ft and 2 stories if roof pitch is at least 3:12 or 24 ft and 2 stories if roof pitch is less than 3:12 40% (c)
	R-A Residential Agriculture, Chapter 21.08	7,500 sf (a)	60 to 80 ft (d)	(b)	20 ft (e)	Interior: 10% of lot width (e), (f) Street: 10 ft		30 ft and 2 stories if roof pitch is at least 3:12 or 24 ft and 2 stories if roof pitch is less than 3:12 40% (c)
RESIDENTIAL	R-E Rural Residential Estate, Chapter 21.09	1-4 acres (g)	100 ft	(b)	70 ft (e)	Interior: 15 ft Street: 50 ft (e)		35 ft 20% (b)
	R-1 Single-family Residential, Chapter 21.10	7,500 sf (a)	60 to 80 ft (d)	(b)	20 ft (e)	Interior: 10% of lot width (e), (f) Street: 10 ft	Equal to twice the required side setback	30 ft and 2 stories if roof pitch is at least 3:12 or 24 ft and 2 stories if roof pitch is less than 3:12 40% (c)
	R-2 Two-family Residential, Chapter 21.12			(b)				50%
	R-3 Multiple-family Residential, Chapter 21.16		60 ft	(b)	20 ft (e)	Interior: 10% of lot width (f) Street: 10 ft		35 ft 60%
	RD-M Residential Density-Multiple, Chapter 21.24	7,500 or 10,000 sf (h)	60 ft	(b)	20 ft (e)	Interior: 5 ft (e) Street: 10 ft (e)	10 ft	50 or 60% (h)



CITY OF CARLSBAD SUMMARY OF ZONING REQUIREMENTS*

ZONE	PERMITTED USES	DEVELOPMENT STANDARDS						
		LOT (minimums)			SETBACKS or YARDS (minimums)**			
		Area	Width	Depth	Front	Side	Rear	BUILDING (maximums) Height Coverage
RESIDENTIAL	R-P Residential Professional, Chapter 21.18	7,500 sf	60 to 80 ft (d)	(b)	20 ft (e)	Interior: 10% of lot width (f) Street: 10 ft	20% of lot width, but need not exceed 20 ft	60%
	R-T Residential Tourist, Chapter 21.20	7,500 sf (i)	60 or 75 ft (i)	(b)	20 ft	Interior: 5 ft one side, 10 ft other Street: 10 ft (e)	20 ft	75% (i)
	R-W Residential Waterway, Chapter 21.22	5,000 sf	40 ft	(b)	10 ft	Interior: 5 ft Street: 8 ft	8 ft	75%
	RMHP Residential Mobile Home Park, Chapter 21.37	3,000 or 3,500 sf per mobile home site (j)	50 ft (j)	(b)	5 ft	Interior: 3 ft Street: 5 ft (j)	3 ft (i)	75%(j)
	C-1 Neighborhood Commercial, Chapter 21.26	None(k)	None	(b)	None (l)	None (l)	None (m)	None
COMMERCIAL	C-2 General Commercial, Chapter 21.28	None(k)	None	(b)	None (l)	None	None (m)	None
	O Office, Chapter 21.27	10,000 sf	75	(b)	(e)	(e)	(e)	(o)



CITY OF CARLSBAD SUMMARY OF ZONING REQUIREMENTS*

ZONE	PERMITTED USES	DEVELOPMENT STANDARDS								
		LOT (minimums)			SETBACKS or YARDS (minimums)**			BUILDING (maximums)		
		Area	Width	Depth	Front	Side	Rear	Height	Coverage	
COMMERCIAL	C-T Commercial-Tourist, Chapter 21.29	None(k)	None	(b)	None	None (m)	None (m)	35 ft/3 levels (n)	None	
	C-M Heavy Commercial- Limited Industrial, Chapter 21.30	None(k)	None	(b)	None (f)	None (f)	None (m)	35 ft/3 levels (n)	None	
INDUSTRIAL	M Industrial, Chapter 21.32	None(k)	None	(b)	None (f)	None (f)	None (m)	35 ft/3 levels (m)	None	
	P-M Planned Industrial, Chapter 21.34	None(k)	None	(b)	(e)	Interior: 10 ft Street: (e)	20 ft	35 ft/3 levels (n)	50%	
UTILITY / TRANSPORTATION	P-U Public Utility, Chapter 21.36	7,500 sf	As established by precise development plan (see Zoning Ordinance Chapter 21.36).						50%	
	T-C Transportation Corridor, Chapter 21.100	None (p)			None			None		



CITY OF CARLSBAD
SUMMARY OF ZONING REQUIREMENTS*

ZONE	PERMITTED USES	DEVELOPMENT STANDARDS								
		LOT (minimums)			SETBACKS or YARDS (minimums)**			BUILDING (maximums)		
		Area	Width	Depth	Front	Side	Rear	Height	Coverage	
OTHER	C-F Community Facilities, Chapter 21.25	(q)	As required by a master plan or residential specific plan.			35 ft and 3 levels if roof pitch is at least 3:12 or 24 ft and 2 levels if roof pitch is less than 3:12			As required by a master plan or residential specific plan	
	L-C Limited Control, Chapter 21.39	None(k)	None			None			None	
	P-C Planned Community, Chapter 21.38	The P-C zone is applied to large tracts of land to ensure their comprehensive and orderly planning and development. Permitted uses and development standards in the P-C zone are established by master plan.								
	O-S Open Space, Chapter 21.33	None (p)			None			25 ft (n)	None	
	V-R Village Redevelopment, Chapter 21.35	The V-R zone is applied to the downtown village area. The permitted land uses, development standards, and procedures of the V-R zone are contained in the Carlsbad Village Area Redevelopment Plan and the Carlsbad Village Redevelopment Master Plan and Design Manual.								



CITY OF CARLSBAD SUMMARY OF ZONING REQUIREMENTS*

ZONE		PERMITTED USES	DEVELOPMENT STANDARDS								
			LOT (minimums)			SETBACKS or YARDS (minimums)**			BUILDING (maximums)		
			Area	Width	Depth	Front	Side	Rear	Height	Coverage	
OVERLAY ZONES	BAO Beach Area Overlay, Chapter 21.82	Provides standards to ensure compatible development in the beach area. Permitted uses are per the underlying zone.	Per underlying zone	Per underlying zone	Per underlying zone	30 ft and 2 stories if roof pitch is at least 3:12 or 24 ft and 2 stories if roof pitch is less than 3:12	Per underlying zone				
	C/V-SO Commercial Visitor Serving Overlay, Chapter 21.208	Supplements underlying zoning. Prohibits some underlying zone uses; requires conditional use permit for all commercial/visitor serving uses.	Per underlying zone	Setbacks for properties in the C/V-SO Zone are established by Zoning Ordinance Section 21.208.100 F.	Per underlying zone						
	F-P Floodplain Overlay, Chapter 21.110	Supplements underlying zoning. Provides additional regulations for development in flood or mudslide hazard areas. Requires a special use permit for such development.	Per underlying zone	Per underlying zone	Per underlying zone						
	H-O Hospital Overlay, Chapter 21.21	Hospitals and accessory uses such as medical offices and laboratories	25,000 sf	100 ft	(b)	(e)	35 ft (n)	(o)			



CITY OF CARLSBAD SUMMARY OF ZONING REQUIREMENTS*

ZONE	PERMITTED USES	DEVELOPMENT STANDARDS							
		LOT (minimums)			SETBACKS or YARDS (minimums)**			BUILDING (maximums)	
		Area	Width	Depth	Front	Side	Rear	Height	Coverage
OVERLAY ZONES	Q Qualified Development Overlay, Chapter 21.06	Per underlying zone (r)			Per underlying zone (r)			Per underlying zone (r)	
	S-P Scenic Preservation Overlay, Chapter 21.40	Per underlying zone (r)			Per underlying zone (r)			Per underlying zone (r)	

CARLSBAD RANCH SPECIFIC PLAN AMENDMENT

SPECIFIC PLAN 207(D)

Prepared for:

Carlsbad Ranch Company

Prepared by:

Hofman Planning Associates

February 27, 1995

Revised April 1995

Revised October 1995

Revised January 1996

Revised May 1996

June 1999

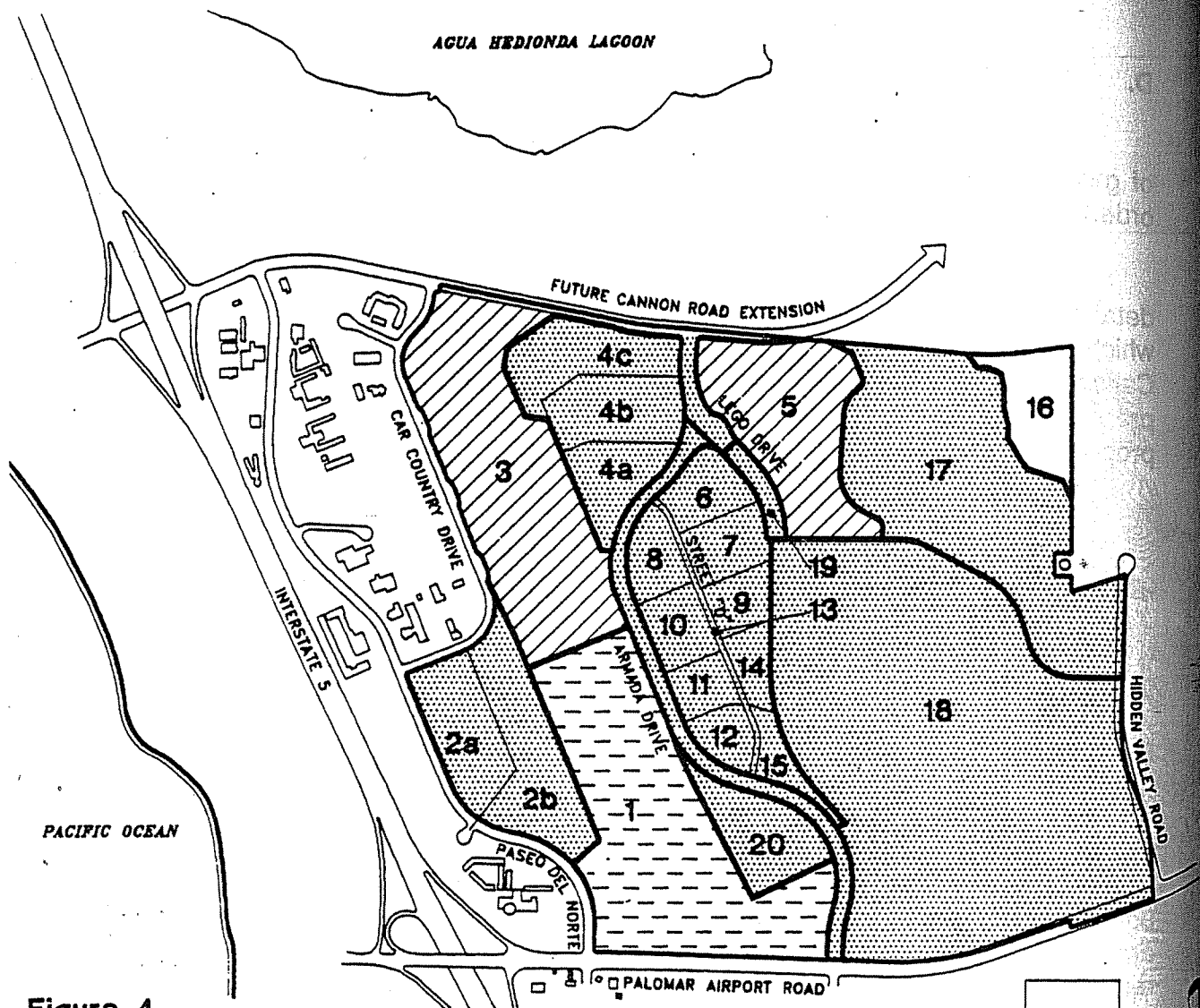


Figure 4
DEVELOPMENT SUMMARY



NUMBER	LAND USE	ACRES (NET)	DEVELOPMENT PROGRAM
1	AGRICULTURE	53.42	EXISTING FLOWER FIELDS
2a,b	SPECIALTY RETAIL	26.65	300,000 SF
3	GOLF	45.61	4 HOLES OF GOLF
4a,b,c	G.I.A. VOCATIONAL SCHOOL	28.93	550,000 SF
5	GOLF	26.46	3 HOLES OF GOLF
6-12,14-15	RESEARCH & DEV'T	40.01	800,000 SF
13	STREET "D" (PRIVATE)	1.97	
16	OPEN SPACE	10.00	PRESERVE IN NATURAL STATE
17	RESORT	52.80	700 SUITES; 647,000 SF
18	LEGO FAMILY PARK	128.32	425,750 S.F.
19	LEGO DRIVE (PRIVATE)	0.94	
20	COMMUNITY HOTEL & RETAIL	10.48	212,080 SF; 280 ROOMS
	PUBLIC ROADS	21.81	
TOTAL SPECIFIC PLAN:		447.40 AC	2,934,830 SF

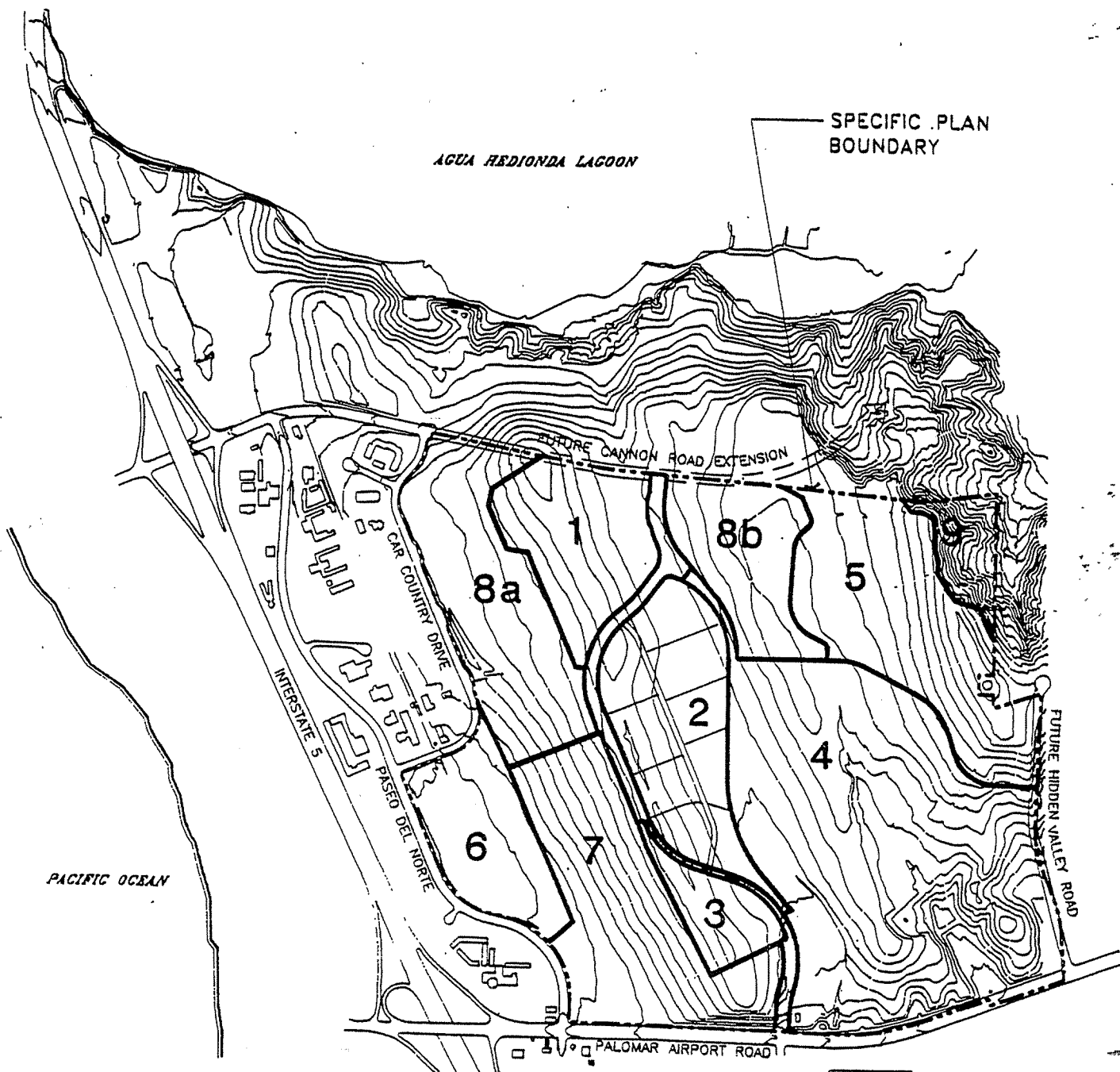
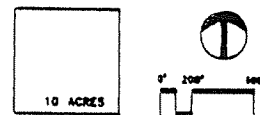
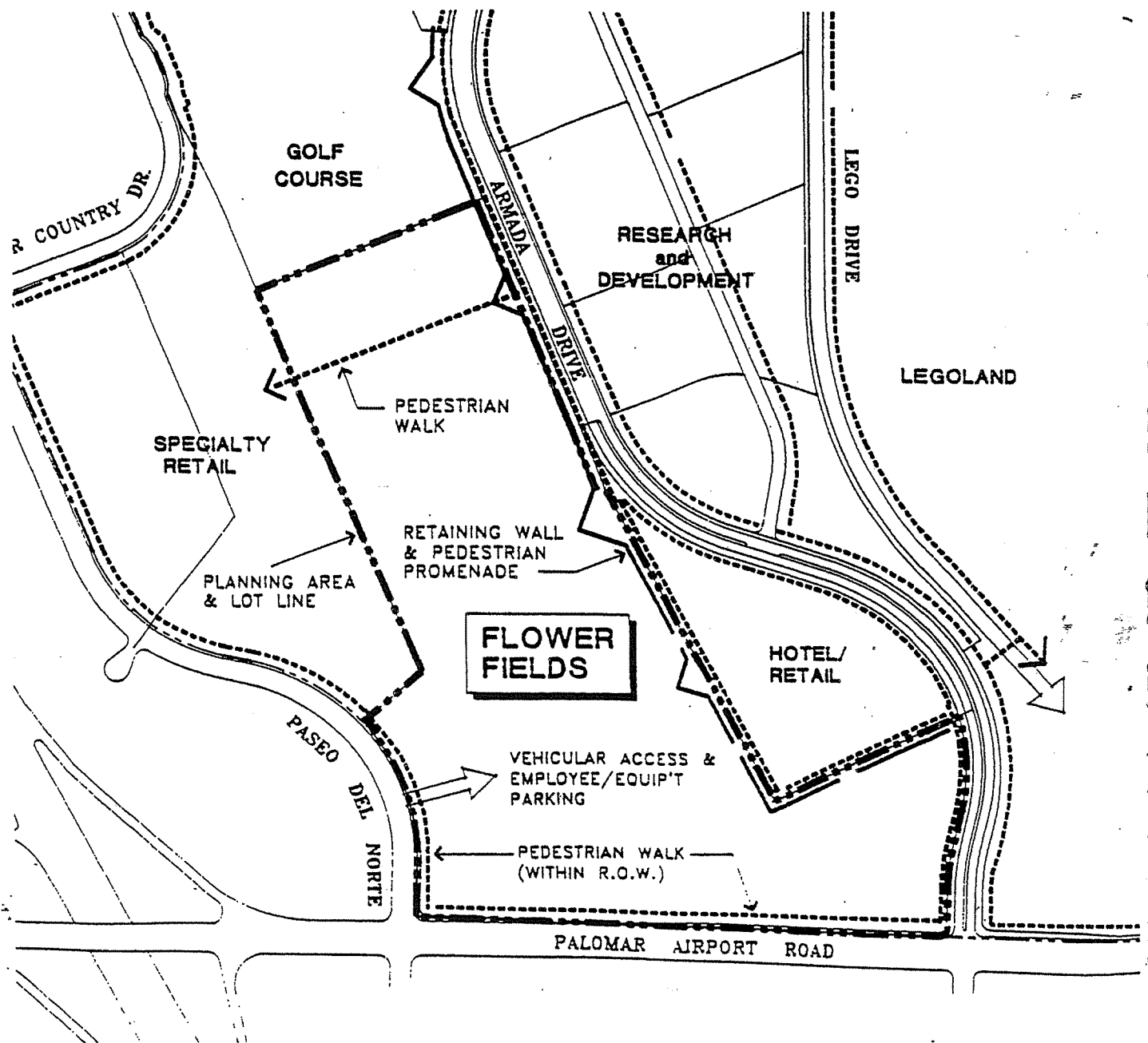


Figure 10

PLANNING AREAS

- | | |
|------------------------------------|----------------------|
| 1 GEMOLOGICAL INSTITUTE OF AMERICA | 8 SPECIALTY RETAIL |
| 2 RESEARCH & DEVELOPMENT/OFFICE | 7 FLOWER FIELDS |
| 3 COMMUNITY HOTEL & RETAIL | 8a GOLF COURSE |
| 4 LEGO FAMILY PARK | 8b GOLF COURSE |
| 5 RESORT | 9 NATURAL OPENSOURCE |





LAND USE: AGRICULTURE

NET PARCEL AREA: 53.42 ACRES

DEVELOPMENT PROGRAM: CONTINUATION OF CURRENT USE—
FLOWER BULB, CUT FLOWER PRODUCTION.

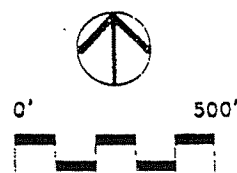
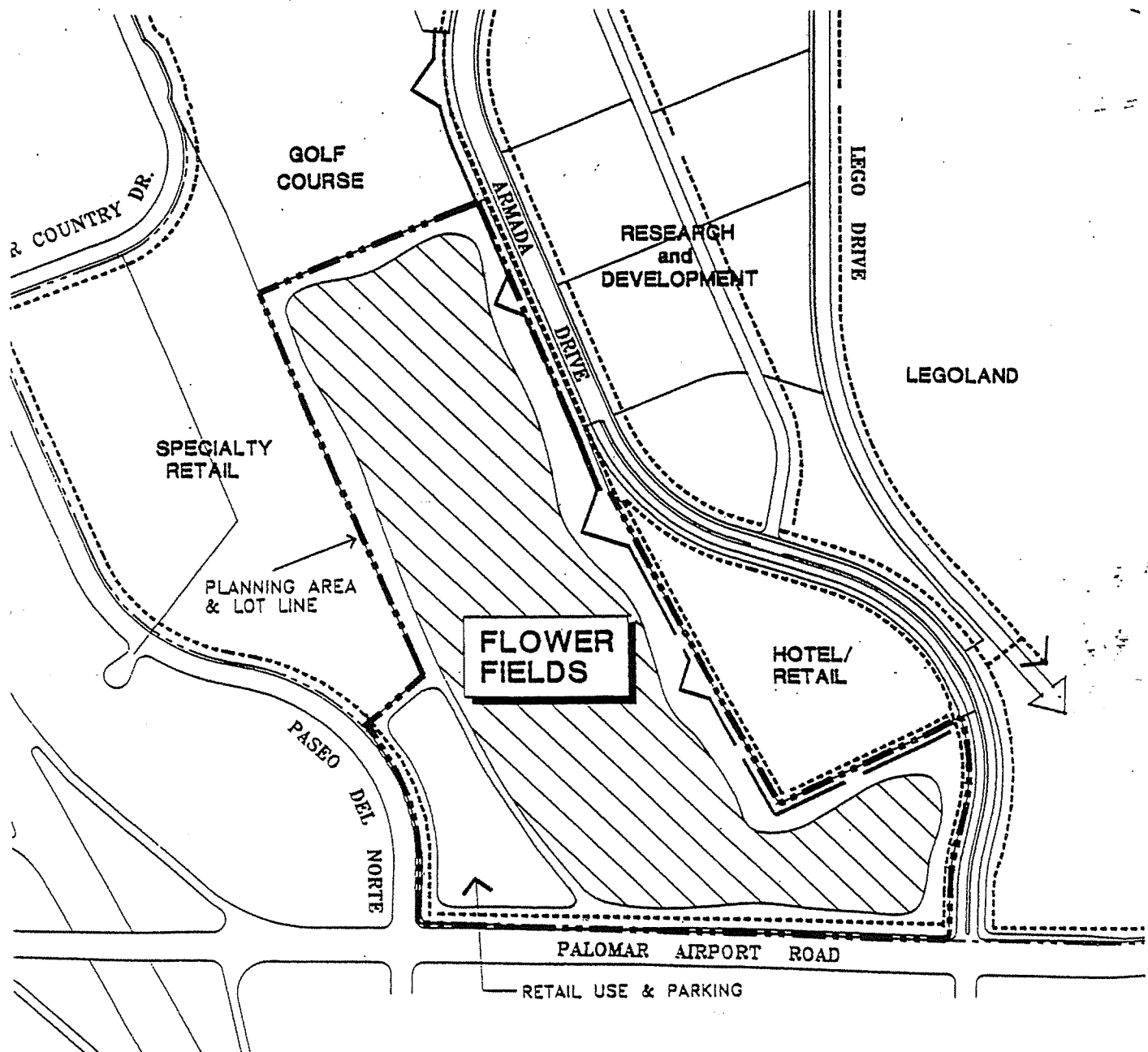


Figure 49

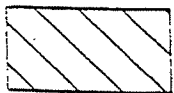
PLANNING AREA 7 - FLOWER FIELDS



LAND USE: AGRICULTURE

GROSS PARCEL AREA: 53.42 ACRES

DEVELOPMENT PROGRAM: CONTINUATION OF CURRENT USE—
FLOWER BULB, CUT FLOWER PRODUCTION.



APPROXIMATE PLANTING AREA (INCLUDING FARM
ROADS AND PEDESTRIAN PATHS).

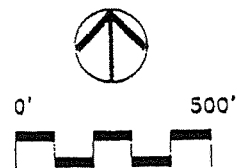


Figure 49A

PLANNING AREA 7 - FLOWER FIELDS PLANTING AREA

H. PLANNING AREA 7 - FLOWER FIELDS

Planning Area 7 is located on the site's western ridge; this area has traditionally been known as the "Flower Fields". Figure 49 on page 162 shows the Flower Fields planning features and Figure 50 on page 164 displays features of the wall and promenade. To minimize impacts on surrounding land uses, agricultural activities in Planning Area 7 shall comply with the Policies of Objective 4 of this specific plan, pages 32 - 35.

1. DEVELOPMENT STANDARDS

The following are specific development and design guidelines applicable to this Planning Area. However, Section III.A. GENERAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES beginning on page 63 contains additional development standards and design guidelines that are applicable to all Planning Areas within this Specific Plan Amendment.

a. Permitted Uses

- i. The Flower Fields shall remain in flower production in perpetuity. The landowner will plant an open-field flowering crop every year, substantially in the area as shown in the Flower Field Figure 49(A). If the landowner desires to change or modify this obligation, landowner will provide a five-year advance notice to the City Council, accompanied by an alternative agricultural use proposal which landowner intends to initiate at the end of said five years. The City Council shall hold a hearing to review and approve the proposed alternative. Additionally, the City and landowner shall investigate and may implement any methods available to allow the continuation of flower production in accordance with the General Plan. This Condition shall be evidenced by a deed restriction and inclusion of notice in the CC&R's restricting Planning Area 7 to agricultural use.

Subject to any Right of First Offer held by LEGO Park Planning, Inc., Landowner shall grant to City an exclusive Right of First Offer ("First Offer Right") to acquire the Flower Fields at a purchase price and upon such other terms and conditions as Landowner would be willing to accept from any third party. Landowner shall not sell all or any portion of the Flower Fields (other than to a party purchasing for purposes of continuing the open field flower business with a continued obligation to provide this First Offer) without (i) first offering the property to City by written notice at a purchase price and upon such other terms and conditions that Landowner would be willing to accept from any third party, and (ii) City's failure to elect to purchase on such terms and conditions by written notice to Landowner within 90 days

of said notice. Any sale at a purchase price of less than 90% of the price at which the property has been offered to the City shall not be made without first offering the City the right to purchase at this price upon 60 days notice, to purchase the property.

The foregoing First Offer Right shall survive any transfer by the Landowner to any affiliate of Landowner and shall be included in a deed restriction for Planning Area 7.

ii. Principal permitted uses within Planning Area 7 designated as Open Space are as follows:

- Bicycle/Pedestrian Paths;
- Open Space Easements;
- Public Parks;
- City Picnic Areas;
- City Playgrounds;
- Public Access easement, non vehicular;
- Public Lands;
- Scenic Easement;
- Slope Easement;
- Transportation Right-of-Way;
- Vista Points;
- Agricultural uses as follows:
 - Green houses of 2,000 sq.ft. or less;
 - Field and seed crops;
 - Truck crops;
 - Horticulture crops;
 - Orchards and vineyards;
 - Pasture and rangeland;
 - Tree farms;
 - Fallow lands;
 - Produce sheds.

iii. Accessory uses and structures permitted:

- Public Rest Rooms, Changing Rooms;
- Playground Equipment;
- Fencing, Patios, Stairways, Barbecue and Fire Pits;
- Parking, Staging, Processing and Storage Areas for agricultural crops;
- Shade Houses;
- Facilities for the sale of flowers, produce and other items related to the promotion of the "Flower Fields";
- Other similar accessory uses and structures, determined by the Planning Director to be required for the conduct of the principal uses.

iv. The following uses and structures are permitted by a conditional use permit:

- Farmers markets;
- Private picnic area;
- Green houses greater than 2,000 sq.ft.;

b. Parking Standards

Parking spaces for all permitted and ancillary uses shall be provided consistent with Section 21.44 of the Carlsbad Municipal Code.

c. Building Height

Building Height for all structures within the open space parcels shall not exceed twenty-five feet in height, unless a higher elevation is approved by a conditional use permit issued by the Planning Commission.

d. Signs

Signs consistent with the style and character of the specific plan shall be utilized for all agricultural, recreational and accessory uses on Open Space Area 7. Signs shall be consistent with Carlsbad Municipal Code Chapter 21.41.

e. Access

Vehicular access to Planning Area 7 shall be at a City Engineer approved location on the east side of Paseo del Norte north of the intersection of Paseo del Norte and Palomar Airport Road.

CARLSBAD RANCH SPECIFIC PLAN AMENDMENT

SPECIFIC PLAN 207(D)

Prepared for:

Carlsbad Ranch Company

Prepared by:

Hofman Planning Associates

February 27, 1995
Revised April 1995
Revised October 1995
Revised January 1996
Revised May 1996
June 1999

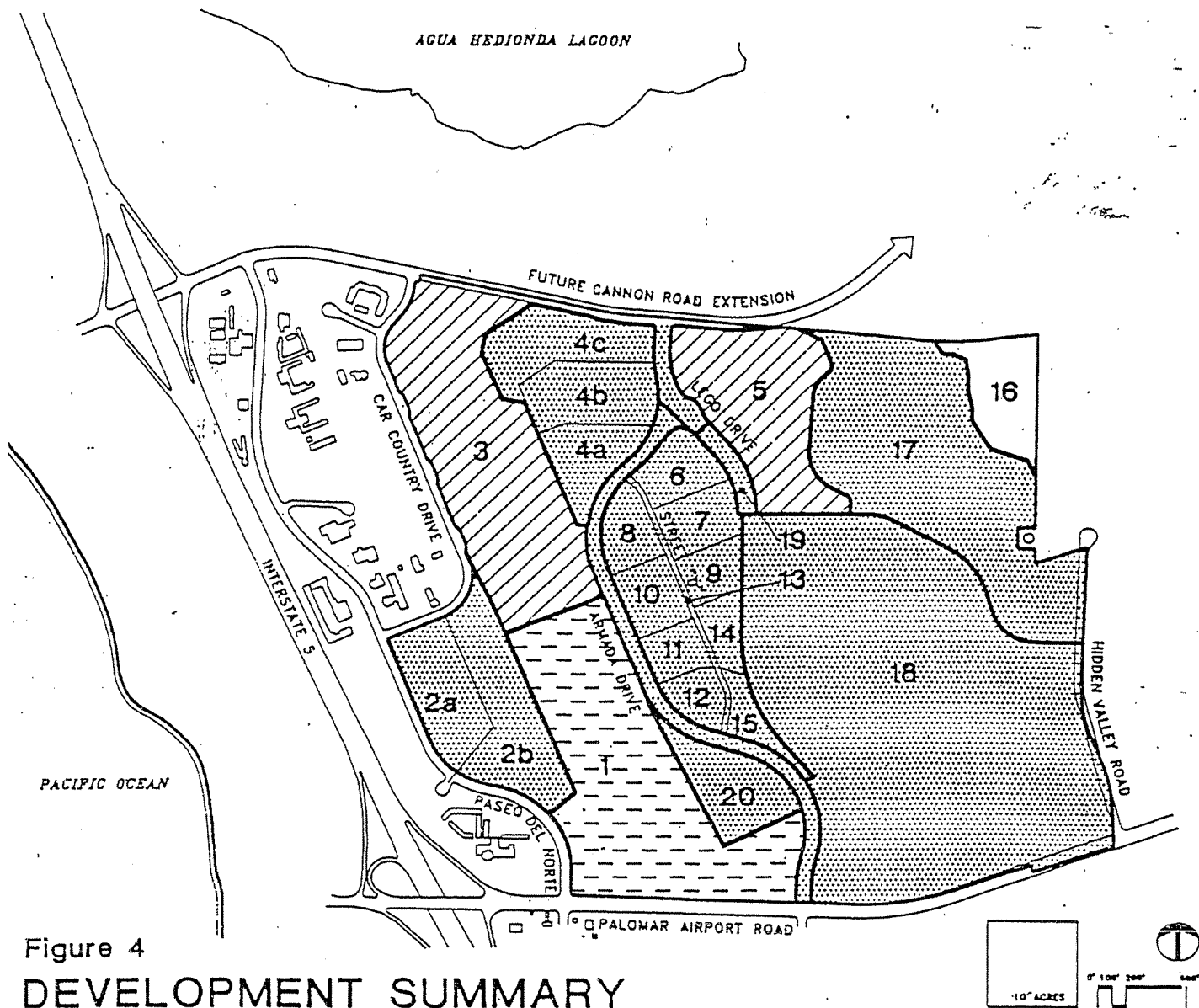


Figure 4
DEVELOPMENT SUMMARY

	DEVELOPMENT AREAS		AGRICULTURAL		GOLF COURSE
---	-------------------	---	--------------	---	-------------

NUMBER	LAND USE	ACRES (NET)	DEVELOPMENT PROGRAM
1	AGRICULTURE	53.42	EXISTING FLOWER FIELDS
2a,b	SPECIALTY RETAIL	26.65	300,000 SF
3	GOLF	45.61	4 HOLES OF GOLF
4a,b,c	G.I.A. VOCATIONAL SCHOOL	28.93	550,000 SF
5	GOLF	26.46	3 HOLES OF GOLF
6-12,14-15	RESEARCH & DEV'T	40.01	800,000 SF
13	STREET "D" (PRIVATE)	1.97	
16	OPEN SPACE	10.00	PRESERVE IN NATURAL STATE
17	RESORT	52.80	700 SUITES; 647,000 SF
18	LEGO FAMILY PARK	128.32	425,750 S.F.
19	LEGO DRIVE (PRIVATE)	0.94	
20	COMMUNITY HOTEL & RETAIL	10.48	212,080 SF; 280 ROOMS
	PUBLIC ROADS	21.81	
TOTAL SPECIFIC PLAN:		447.40 AC	2,934,830 SF

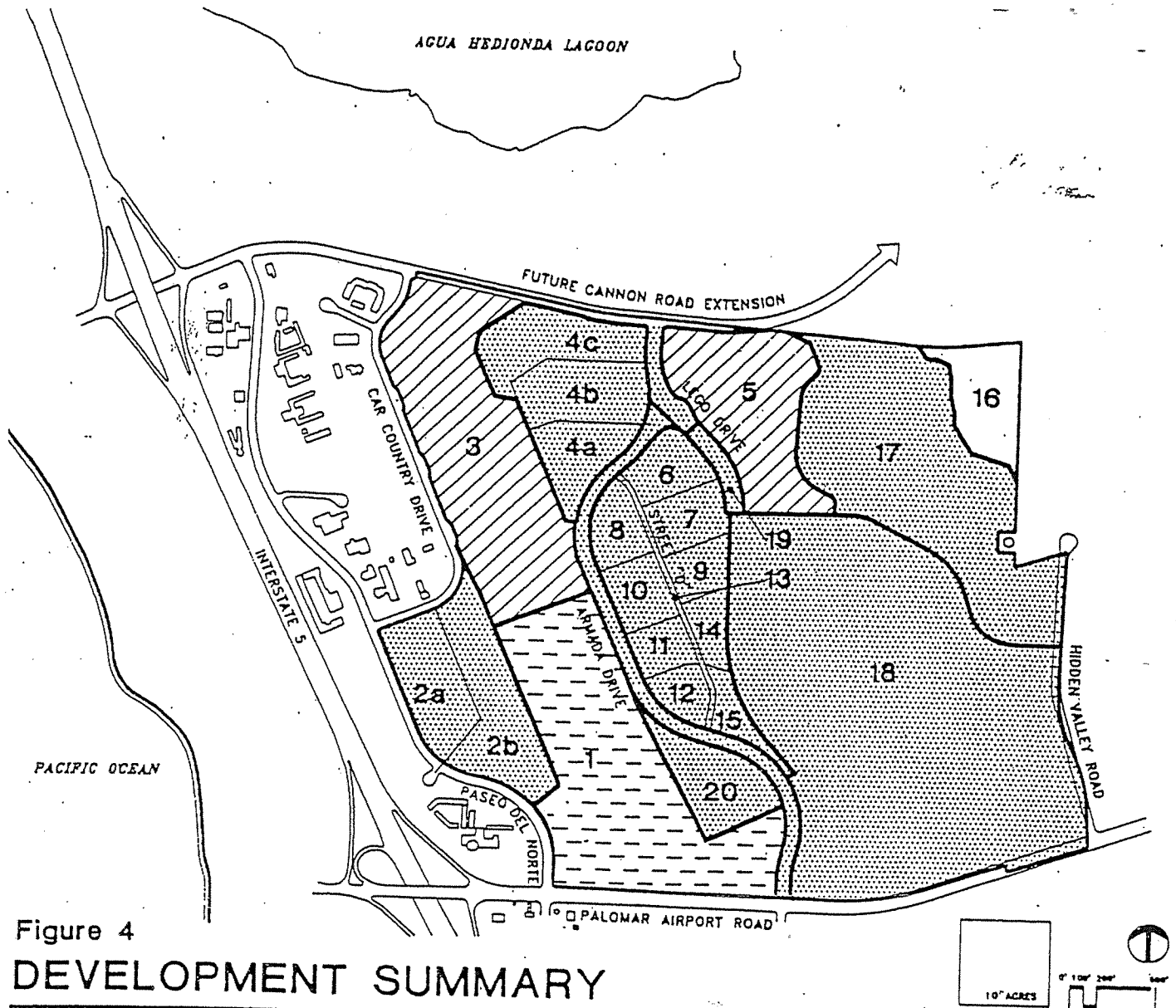


Figure 4
DEVELOPMENT SUMMARY



NUMBER	LAND USE	ACRES (NET)	DEVELOPMENT PROGRAM
1	AGRICULTURE	53.42	EXISTING FLOWER FIELDS
2a,b	SPECIALTY RETAIL	26.65	300,000 SF
3	GOLF	45.61	4 HOLES OF GOLF
4a,b,c	G.I.A. VOCATIONAL SCHOOL	28.93	550,000 SF
5	GOLF	26.46	3 HOLES OF GOLF
6-12,14-15	RESEARCH & DEV'T	40.01	800,000 SF
13	STREET "D" (PRIVATE)	1.97	
16	OPEN SPACE	10.00	PRESERVE IN NATURAL STATE
17	RESORT	52.80	700 SUITES; 647,000 SF
18	LEGO FAMILY PARK	128.32	425,750 S.F.
19	LEGO DRIVE (PRIVATE)	0.94	
20	COMMUNITY HOTEL & RETAIL	10.48	212,080 SF; 280 ROOMS
	PUBLIC ROADS	21.81	
TOTAL SPECIFIC PLAN:		447.40 AC	2,934,830 SF

Special Planning Considerations -- Airport

- h. Goal A - A City which maintains land use compatibility between McClellan-Palomar Airport and surrounding land uses.

The Carlsbad Ranch Specific Plan area is located within the Palomar Airport Special Treatment Area as defined by the "Comprehensive Land Use Plan for Palomar Airport". As discussed in the Land Use Element of the General Plan, specific plans should be developed for properties located within the Airport Influence Area to ensure definite work programs for those identified key areas that affect the character of the entire community. Through the development of comprehensive design guidelines, the Carlsbad Ranch Specific Plan shall ensure the orderly and consistent development of all properties within the specific plan.

2. OPEN SPACE & CONSERVATION ELEMENT

- a. Goal A.1 - Preserve and create an open space system

[The first goal of the Open Space & Conservation Element identifies the need to preserve and create open space systems that maintain community identity, achieve a sense of natural spaciousness, and provide a certain degree of visual relief to the cityscape. The Carlsbad Ranch Specific Plan provides for the preservation of all existing General Plan Open Space in addition to proposing additional General Plan Open Space for a golf course open to the public. The open space areas also include an area of native vegetation in the northeast corner of the specific plan area.

3. CIRCULATION ELEMENT

Streets And Traffic Control

- a. Goal A.1 - A City with an integrated transportation network serving local and regional needs.

The Carlsbad Ranch Specific Plan shall provide a comprehensive circulation system that will serve the present and future traffic needs of Carlsbad and the region as a whole. The proposed internal circulation system of the project creates a circulation pattern which provides logical links with the existing system. The Carlsbad Ranch's internal circulation system is also intended to enhance the existing network by providing alternative routes for movement.

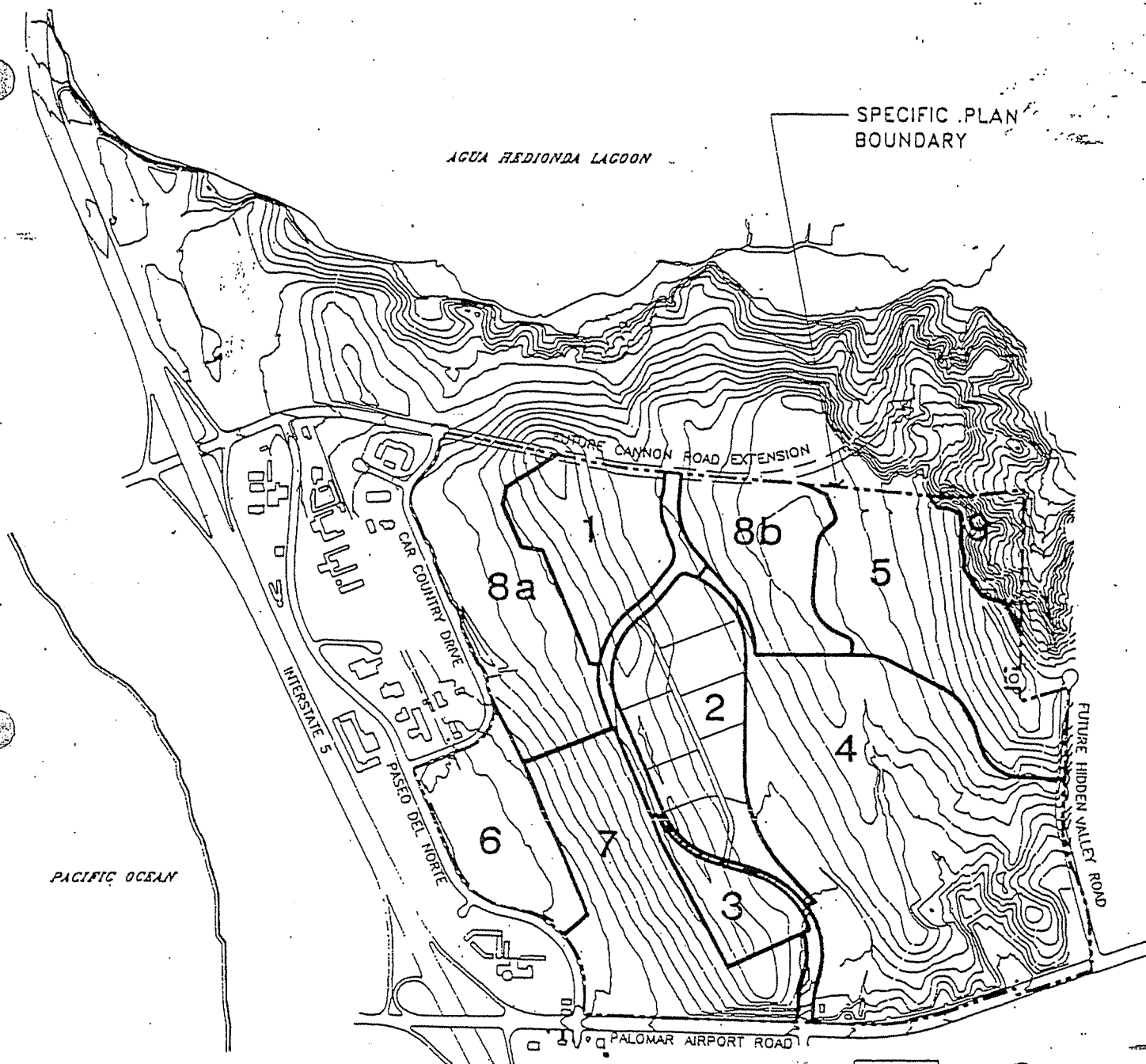


Figure 10

PLANNING AREAS

- | | |
|------------------------------------|-----------------------|
| 1 GEMOLOGICAL INSTITUTE OF AMERICA | 6 SPECIALTY RETAIL |
| 2 RESEARCH & DEVELOPMENT/OFFICE | 7 FLOWER FIELDS |
| 3 COMMUNITY HOTEL & RETAIL | <u>8a</u> GOLF COURSE |
| 4 LEGO FAMILY PARK | 8b GOLF COURSE |
| 5 RESORT | 9 NATURAL OPENSACE |

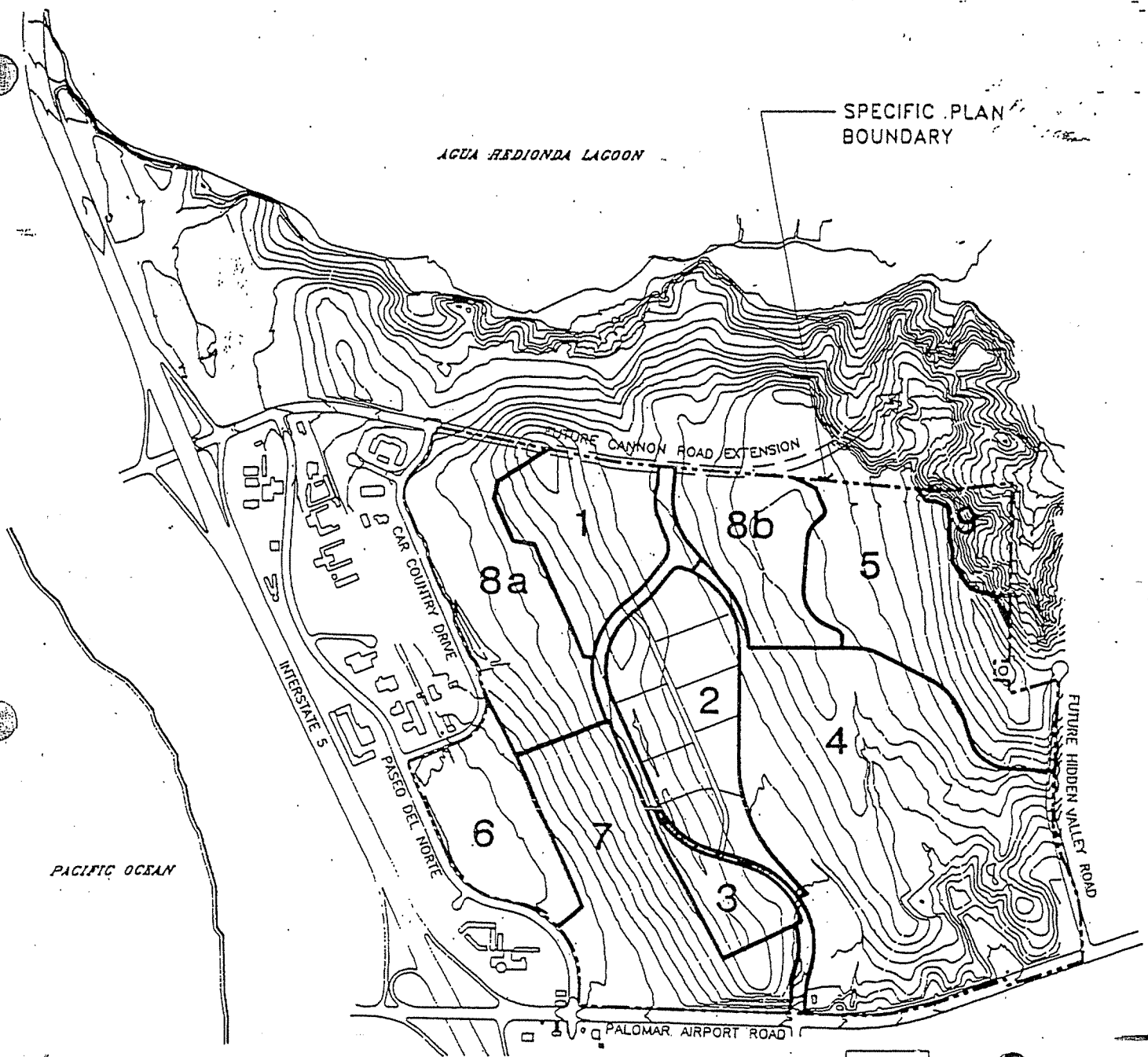


Figure 10

PLANNING AREAS

- | | |
|------------------------------------|-----------------------|
| 1 GEMOLOGICAL INSTITUTE OF AMERICA | 6 SPECIALTY RETAIL |
| 2 RESEARCH & DEVELOPMENT/OFFICE | 7 FLOWER FIELDS |
| 3 COMMUNITY HOTEL & RETAIL | 8a GOLF COURSE |
| 4 LEGO FAMILY PARK | 8b GOLF COURSE |
| 5 RESORT | 9 NATURAL OPENSACE |

OPEN SPACE (OS):

The Open Space category provides for agricultural and recreational uses. Approximately 39.1 acres of land near the southwestern corner of the property are presently designated as Open Space. This area (Planning Area 7) is proposed to increase in size to 53.42² acres and is intended to remain in floriculture to maintain the local landmark "Flower Fields".

[An additional 72.07² acres is proposed for designation as Open Space to provide a golf course open to the public. The golf course open to the public, on a fee basis, will consist of two areas. A portion of the golf course will be located north of the flower fields between Car Country Carlsbad on the west and the Gemological Institute of America on the east. The other portion of the golf course area will be located north of LEGOLAND Carlsbad, south of future Cannon Road and between the Gemological Institute on the west and the resort on the east.

POLICY 1-B: Plan for the intensification of areas designated for development in order to maximize the amount of land retained in agriculture, recreation and open space uses.

The development program for the Carlsbad Ranch establishes levels of development that encourage the maximum utilization of land set aside for development, thereby preserving larger land areas for agriculture, recreation and open space use, as well as establishing a pedestrian environment.

OBJECTIVE 2: Establish a mixed-use development by combining complementary uses around LEGOLAND Carlsbad that will become a focus and activity center for the City of Carlsbad.

The focus of the Specific Plan Amendment is to establish a family oriented theme park and create a destination resort. LEGOLAND Carlsbad will gain inspiration from the original LEGO Family Park in Billund, Denmark and the LEGO Family Park in Windsor, UK, presently under design. The Resort will further contribute to the success of LEGOLAND Carlsbad by providing amenities which will interact directly with the Park, such as providing quality lodging.

³ Acreages in this specific plan are based on tentative map level of analysis. The acreages may vary from those shown in LFMP 13 due to slight differences in the geographic area described and in the constraints considered (e.g. non-circulation element streets).

OPEN SPACE (OS):

The Open Space category provides for agricultural and recreational uses. Approximately 39.1 acres of land near the southwestern corner of the property are presently designated as Open Space. This area (Planning Area 7) is proposed to increase in size to 53.42² acres and is intended to remain in floriculture to maintain the local landmark "Flower Fields".

An additional 72.07² acres is proposed for designation as Open Space to provide a golf course open to the public. The golf course open to the public, on a fee basis, will consist of two areas. A portion of the golf course will be located north of the flower fields between Car Country Carlsbad on the west and the Gemological Institute of America on the east. The other portion of the golf course area will be located north of LEGOLAND Carlsbad, south of future Cannon Road and between the Gemological Institute on the west and the resort on the east.

POLICY 1-B: Plan for the intensification of areas designated for development in order to maximize the amount of land retained in agriculture, recreation and open space uses.

The development program for the Carlsbad Ranch establishes levels of development that encourage the maximum utilization of land set aside for development, thereby preserving larger land areas for agriculture, recreation and open space use, as well as establishing a pedestrian environment.

OBJECTIVE 2: Establish a mixed-use development by combining complementary uses around LEGOLAND Carlsbad that will become a focus and activity center for the City of Carlsbad.

The focus of the Specific Plan Amendment is to establish a family oriented theme park and create a destination resort. LEGOLAND Carlsbad will gain inspiration from the original LEGO Family Park in Billund, Denmark and the LEGO Family Park in Windsor, UK, presently under design. The Resort will further contribute to the success of LEGOLAND Carlsbad by providing amenities which will interact directly with the Park, such as providing quality lodging.

³ Acreages in this specific plan are based on tentative map level of analysis. The acreages may vary from those shown in LFMP 13 due to slight differences in the geographic area described and in the constraints considered (e.g. non-circulation element streets).

I. PLANNING AREA 8 - GOLF COURSE

The golf course will be a 9-hole course and will cover over 70 acres in the northern portion of the specific plan. As proposed, the golf course will provide desirable open space buffers in the Carlsbad Ranch Specific Plan between Car Country, the Gemological Institute and the resort. A clubhouse, golf pro shop and parking lot will be located adjacent to the resort in Planning Area 5.

Access between the eastern and western parts of the golf course shall be provided on the SDG&E property on the north side of Cannon Road as shown on Figure 51 on page 168. One to two holes of the golf course may be located in this area. Golf cart overcrossings or under crossings of Cannon Road shall provide access to this area. If an overcrossing is determined to be the most viable alternative, then the design of the overcrossing shall be similar to the design shown on Figure 53 on page 170. An amendment to the SDG&E Specific Plan shall be required for this area to be used for a golf course. The portion of SDG&E property used for this section of the golf course will not be a part of the Carlsbad Ranch Specific Plan. The design and layout of the holes in this area as well as the rest of the golf course shall be determined as a part of the Site Development Plan for Planning Area 8.

A pedestrian/bike/golf cart trail shall be provided along the southerly edge of Planning Area 5 to provide a link from the specific plan golf course to the future City golf course to the east of the specific plan. This trail shall be designed as shown on Figure 52 on page 169. A golf cart undercrossing on Hidden Valley Road shall be provided to facilitate the joint use of the two golf courses.

Sophisticated computerized weather and water monitoring and delivery systems and reclaimed water will be used for irrigation. The course will be managed by the resort and be open to the public on a fee basis.

1. DEVELOPMENT STANDARDS

The following are specific development and design guidelines applicable to this Planning Area. However, Section III.A. GENERAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES beginning on page 63 contains additional development standards and design guidelines that are applicable to all Planning Areas within this Specific Plan Amendment.

a. Permitted Uses

i. Agricultural Uses -

- Field and seed crops;
- Truck crops;
- Horticulture crops;

- Orchards and vineyards;
- Pasture and rangeland;
- Tree farms;
- Fallow lands;
- Produce sheds.

ii. Non-Agricultural Uses -

- Golf course, driving range, putting green;
- Public parks;
- City picnic areas;
- City playgrounds;
- Public Trails;
- Public access easements and right-of-way;
- Public rest rooms;
- Fencing;
- Transportation right-of-way;
- Vista Points;
- Other similar accessory uses and structures, determined by the Planning Director to be required for the conduct of principal use.

iii. Accessory uses and structures permitted:

- Public Rest Rooms, Changing Rooms;
- Playground Equipment;
- Fencing, Patios, Stairways, Barbecue and Fire Pits;
- Parking, Staging, Processing and Storage Areas for agricultural crops;
- Shade Houses;
- Other similar accessory uses and structures, determined by the Planning Director to be required for the conduct of the principal uses.

b. Parking Standards

Parking spaces for all permitted and ancillary uses shall be provided consistent with Section 21.44 of the Carlsbad Municipal Code. Parking for the golf course will be accommodated in the resort parcel, Planning Area 5, adjacent to the fitness center/clubhouse. Joint use of parking facilities is allowed based on the potential for shared/off-peak uses. Specific reductions in parking requirements shall be determined based on provisions set forth in Section 21.44.050(a)(4) of the Carlsbad Municipal Code.

C. LIBRARY FACILITIES

Zone 13, including the Carlsbad Ranch Specific Plan Area, will be developed with entirely non-residential uses. Therefore, no impacts will be generated by development in Zone 13 to the City's adopted performance standard, which requires that 800 square feet of Library Facilities per 1,000 population must be scheduled for construction within a five year period.

As mentioned under the City Administrative Facilities section, the City's Growth Management Ordinance does not count dormitory rooms as dwelling units nor are they considered to be permanent residences. For this reason the vocational campus will not be subject to the Library Facility Performance Standard. The landowner is compensating for any impacts generated by the dormitory uses through the payment of public facility fees and participation in the Citywide Mello Roos Community Facilities District which contribute toward the construction of Library Facilities.

As concluded in the Zone 13 LFMP, no mitigation is required for Zone 13 to meet the adopted performance standard.

D. PARK FACILITIES

Since the Carlsbad Ranch Specific Plan and the entire Zone 13 LFMP will be developed for non-residential uses, the established performance standard of 3 acres of Community Park or Special Use Area per 1,000 population within the Park District does not apply to Zone 13 or the Carlsbad Ranch Specific Plan. However, the City has concluded that non-residents who work in the City also have an impact on the City's recreational facilities.

This specific plan proposes the development of a golf course open to the public and accessory uses as well as various trails and pedestrian walkways. These facilities will contribute to the recreational needs of the employees working within the specific plan area.

Recreation facilities will be implemented by the specific plan. A brief description of the recreation uses and facilities are as follows:

1. GOLF COURSE

A 9-hole golf course will be developed in Planning Area 8 concurrent with the development of the resort in Planning Area 5. Although privately owned, this golf course will be open to the public.

F. SOLID WASTE

Solid Waste collection and disposal services are provided by the City of Carlsbad. The City contracts these services with Coast Waste Management, a private company.

G. ELECTRICITY

Electricity will be provided to the site by San Diego Gas and Electric Company. There currently exists circuit points along Palomar Airport Road and Paseo del Norte which are adequate to service the site.

H. NATURAL GAS

Natural gas will also be provided by San Diego Gas and Electric Company. There exist 3" high pressure gas lines within Palomar Airport Road, Cannon Road, Car Country Road and Paseo del Norte. The line within Palomar Airport Road will need to be extended easterly and then northerly into the site at the time of development. Also, the project lies within the service area of an existing 20 inch high pressure gas line.

I. TELEPHONE

Pacific Bell provides telephone service to this area. No service problems are anticipated with the development of this service area.

The planning and design of "dry" utilities (electricity, natural gas and telephone) are typically not started until the initial stages of the final design of the project site improvement and grading plans. Utility lines will be located underground and construction will be concurrent with development since these utilities are usually "joint trenched" within the public right-of-way. The costs of providing these improvements are typically passed onto the consumer via initial hookup fees and monthly charges.

J. CIRCULATION

The primary factors influencing and guiding development in the Carlsbad Ranch Specific Plan are the project's circulation impacts. The proposed development for the Carlsbad Ranch Specific Plan has been primarily constrained by a maximum generation of 69,376 Average Daily Trips (ADT's) for the Zone 13 area based on projected traffic intensity in the circulation system affected by the Carlsbad Ranch Specific Plan. This figure represents the maximum ADT's which can be accommodated by the build out design of the surrounding circulation facilities in particular, the I-5 interchanges with current peak hour assumptions related to the proposed land uses. The volume and distribution of traffic generated from the Carlsbad Ranch has been carefully analyzed to maintain conformance with the Zone 13 LFMP. Specific land uses, development locations and square footages

for the specific plan were determined as a result of the site's traffic considerations. The City of Carlsbad's Growth Management Program sets a Circulation Performance Standard which prohibits any impacted road segment or intersection within or outside of the zone to exceed Service Level C during off-peak hours or Service Level D during peak hours.

To maintain an acceptable Level of Service on all roadways impacted by the Carlsbad Ranch Specific Plan, specific mitigation measures and circulation improvements have been identified.

The circulation improvements identified are categorized into projected improvements needed now, during development of Zone 13 and at build out. These time frames represent milestones as opposed to actual completion dates. The milestones are based on assumed traffic intensity from projected growth assumptions and therefore are intended to be used for planning purposes only.

As a means of ensuring facility adequacy, the City of Carlsbad has established the Growth Management Monitoring Program to monitor the City's growth and identify those facilities which fail to meet the City's Facility Performance Standards. If the City determines that the timing of the necessary improvements needs to be accelerated, then the required improvements must be adjusted to ensure conformance with the adopted Performance standard. However, if the proposed project is delayed or other traffic generating uses within the affected area are not developed, then the required construction or financial guarantee required to meet the Performance Standard may be delayed as long as the facilities are provided concurrent with need and a financing program guaranteeing their construction is in place.

A traffic report has been prepared concurrent with this specific plan to identify mitigation measures and circulation improvements needed as a result of development within the Carlsbad Ranch Specific Plan. To ensure consistency between mitigation measures in the specific plan and other concurrent applications, this report is also the basis for the circulation improvements identified for the entire Zone 13 area in the Zone 13 Local Facilities Management Plan Amendment. In addition, the report is also the basis for the traffic section of the Carlsbad Ranch Specific Plan EIR.

South Carlsbad Coastal Redevelopment Project

Redevelopment Plan

Prepared for:

*Carlsbad Housing and Redevelopment Commission
2965 Roosevelt Street, Suite B
Carlsbad, CA 92008*



Rosenow Spevacek Group, Inc.
540 N. Golden Circle, Suite 305
Santa Ana, CA 92705
Phone 714.541.4585
Fax 714.836.1748
E-Mail: RSGINCCA@aol.com

religion, sex, marital status, national origin, or ancestry, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased nor shall the lessee himself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased."

In contracts, the following language shall appear:

"There shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land, nor shall the transferee itself or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land."

L. (533) Provision for Low and Moderate Income Housing

The Commission shall comply with all of the low and moderate income housing requirements of the Redevelopment Law which are applicable to this Plan, including applicable expenditure, replacement, and inclusionary housing requirements, and in connection therewith, the Commission shall have all of the powers and authorization to act as may, from time to time, be provided by the Redevelopment Law and other applicable provisions of law.

SECTION VI. (600) USES PERMITTED IN THE PROJECT AREA

A. (601) Map and Uses Permitted

The Map attached hereto as Exhibit A and incorporated herein illustrates the location of the Project Area boundaries. The land uses permitted by this Plan shall be those permitted by the General Plan and zoning ordinance, and all other state and local building codes, guidelines, or specific plans as they now exist or are hereafter amended, with the exception that new development which provides for one or more of the following specific uses may be permitted in the Project Area only after all of the following are satisfied a) the Carlsbad Housing and Redevelopment Commission approves a finding that the land use serves an extraordinary public purpose, and b) a precise development plan or other appropriate planning permit or regulatory document is first approved by the Commission which sets forth the standards for development of the project, and c) the Commission has issued a Redevelopment Permit for the project:

- (i) Desalination Plant and other facilities for the production, generation, storage, treatment or transmission of water;
- (ii) Generation and transmission of electrical energy;
- (iii) Public Utility district maintenance & service facilities;
- (iv) Governmental maintenance, storage and operating facilities;
- (v) Processing, using and storage of natural gas, liquid natural gas, and domestic and agricultural water supplies;
- (vi) Energy transmission facilities, including rights-of-way and pressure control or booster stations for gasoline, electricity, natural gas, synthetic natural gas, oil or other forms of energy sources; and/or
- (vii) Wastewater treatment, disposal or reclamation facilities and other facilities for the production, generation, storage, treatment or transmission of wastewater.

The above findings and conditions shall not be required for, or applied to, any land use regulated by the Public Utilities Commission.

A diagram of current permitted uses is presented on Exhibit D. Redevelopment Law Section 33336 requires this Plan contain adequate safeguards that the work of redevelopment will be carried out pursuant to the Plan. In addition, Redevelopment Law Section 33338 provides that this Plan contain other covenants, conditions, and restrictions which the City Council prescribes in order to implement the goals and objectives of this Plan and to provide adequate safeguards that the work of redevelopment will be carried out pursuant to this Plan.

B. (602) Public Uses

1. (603) Public Street Layout, Rights-of-Way and Easements

The public street system and street layout for the Project Area is illustrated on the Map identified as Exhibit A. The street system in the Project Area shall be developed in accordance with the General Plan, and all other state and local codes, guidelines, or master or specific plans as they now exist or are hereafter amended.

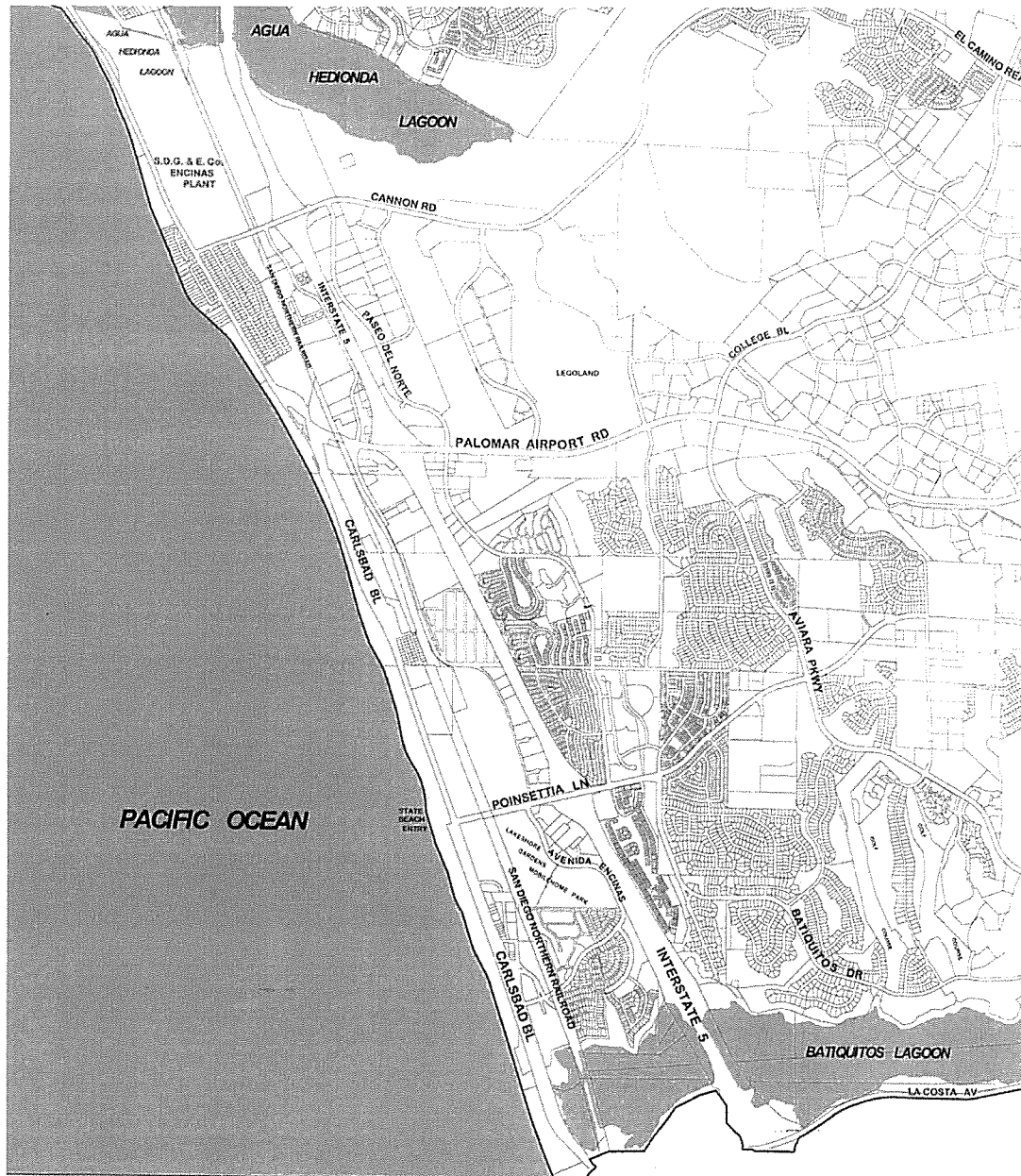
Certain streets and rights-of-way may be widened, altered, realigned, abandoned, vacated, or closed by the City as necessary for proper development of the Project Area. Additional easements may be created by the Commission and City in the Project Area as needed for proper development and circulation.

The public rights-of-way shall be used for vehicular, bicycle and/or pedestrian traffic as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained or created.

2. (604) Other Public and Open Space Uses

EXHIBIT A

PROJECT AREA MAP OF THE SOUTH CARLSBAD COASTAL REDEVELOPMENT PROJECT



South Carlsbad Coastal Redevelopment Project

Project Area

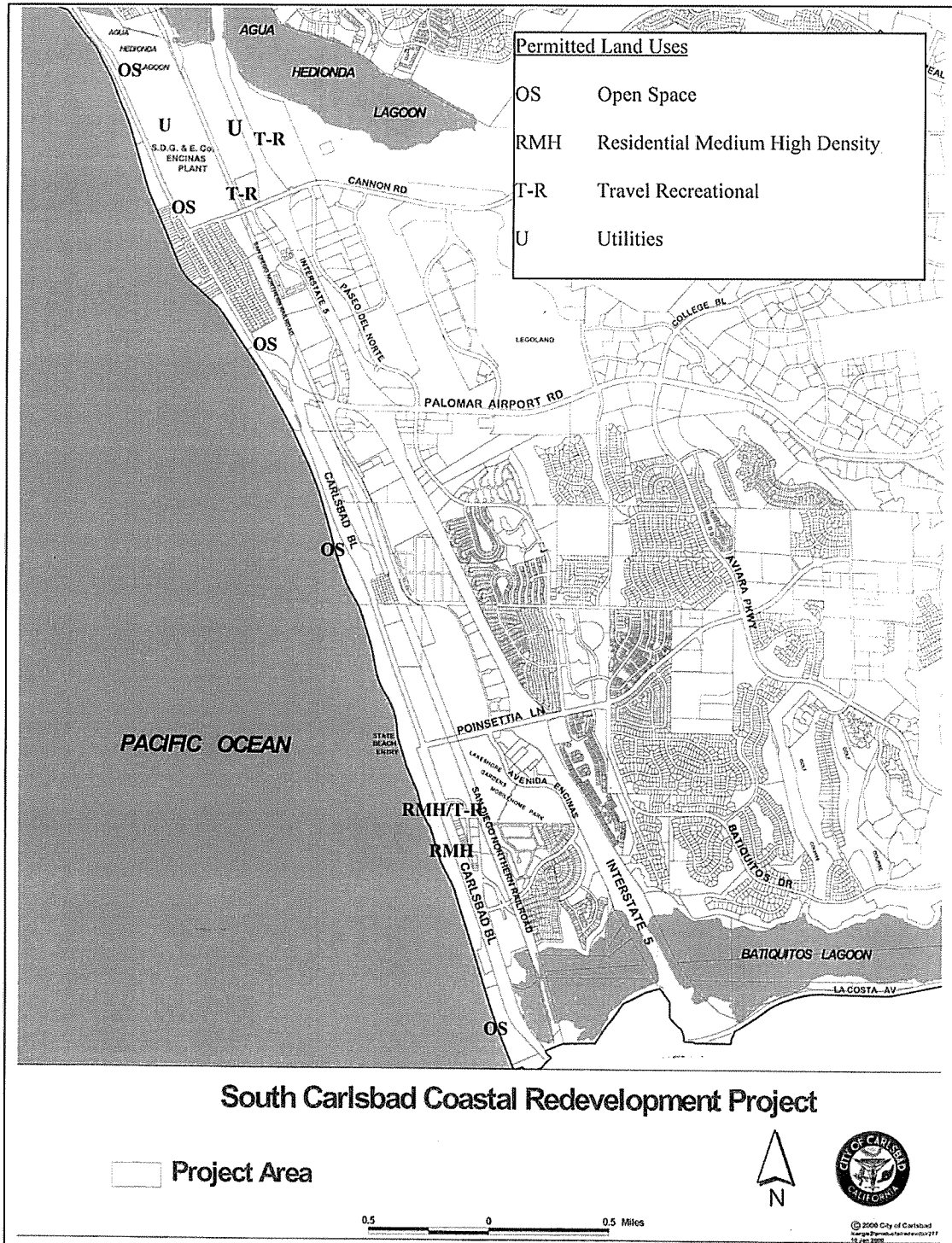
0.5 0 0.5 Miles



© 2000 City of Carlsbad
Carlsbad, CA 92008

EXHIBIT D

DIAGRAM OF PERMITTED LAND USES



be amended by the approving authority. Application for and action on an amendment shall be accomplished in the same manner as specified by this chapter for initial approval. (Ord. NS-365 § 20 (part), 1996)

21.201.230 Coastal development permits issued by Coastal Commission.

The Coastal Commission shall have original jurisdiction for all coastal development permits for development on tidelands, submerged lands and public trust lands, whether filled or unfilled. Such lands are specified as the area of "original jurisdiction" of the Coastal Commission pursuant to Public Resources Code Section 30519(b), and are shown on the post LCP certification map which is on file in the planning department. The applicant for any project which requires a coastal development permit issued by the Coastal Commission shall obtain all discretionary approvals required by this code prior to filing an application with the Coastal Commission for said coastal development permit. (Ord. NS-365 § 20 (part), 1996)

21.201.240 Violations of the Public Resources Code.

Any person who violates any provision of Division 20 of the Public Resources Code shall be subject to the penalties contained in Public Resources Code Article 2, Section 30820 et seq. (Ord. NS-365 § 20 (part), 1996)

Chapter 21.202

**COASTAL AGRICULTURE OVERLAY
ZONE**

Sections:

- 21.202.010 Intent and purpose.**
- 21.202.020 Definitions.**
- 21.202.030 Urban development of coastal agricultural land.**
- 21.202.040 Permits required.**
- 21.202.050 Permitted uses on agricultural lands.**
- 21.202.055 Lot and yard standards—Agricultural lands.**
- 21.202.060 Development of coastal agricultural land.**
- 21.202.070 Findings required before conversion to urban uses.**
- 21.202.075 Development on coastal agricultural lands not consistent with underlying land use designations.**
- 21.202.080 Proximity of urban development to existing development areas.**

21.202.010 Intent and purpose.

The coastal agriculture overlay (CA) zone is established to implement Sections 30170 (f), 30171(b), 30241, 30242 and 30250 of the California Coastal Act and the local coastal program land use plan certified on June 1981. This zone recognizes agriculture as a priority use under the Coastal Act and protects that use by establishing mechanisms to assure the continued and renewed agricultural use of agricultural lands. The local coastal program recognizes that long-term agriculture may not be feasible and establishes agriculture as an interim use. Therefore, this zone allows urban development of such lands if specific findings are made or mitigation measures are undertaken. The coastal agriculture zone is an overlay zone; no use shall be allowed on any property zoned coastal agriculture unless such use complies with the provisions of this chapter and with the provisions of any other chap-

ters of this title which are applicable to the property. (Ord. NS-365 § 21 (part), 1996)

21.202.020 Definitions.

For the purposes of this zone, terms used herein are defined as follows:

A. "Coastal agricultural lands" means those agricultural lands identified on Map X attached to the land use plan certified on September 1980. The following are the lands identified on Map X:

Approximate Acres	
Site II	377.
Site III	275
Site IV	109
Lusk	93
Bankers	27
Hunt	200
Carlitas	301.38

B. "Class I-IV agricultural land" means all land which qualifies for rating as Class I through Class IV in the U.S. Department of Agriculture Soil Conservation Service Land Use Compatibility Classification.

C. "Class V-VIII agricultural land" means all land which qualified for rating as Class V through Class VIII in the U.S. Department of Agriculture Soil Conservation Service Land Use Compatibility Classification.

D. "Land division" means the creation of any new property line whether by subdivision or other means.

E. "Net impacted agricultural land" means, for purposes of calculating required mitigation acreage, the parcels and acreages designated on Map X (located in the local coastal program land use plan) and the 301.38 acre Carlitas property suitable for agricultural use minus the acreage in steep slopes (twenty-five percent or greater) and areas containing sensitive coastal resources that would preclude development in addition to any acreage under the control of a public entity for a public recreation or open space use.

F. "Underlying land use designation" means those urban uses which are consistent with the urban land use designation established by the Carlsbad general plan and the local coastal program land use plan, which agricultural lands may be converted in conformance with this chapter.

G. "Urban uses" means any use other than a use permitted by Section 21.202.050 including any use necessary or convenient to urban use. (Ord. NS-365 § 21 (part), 1996)

21.202.030 Urban development of coastal agricultural land.

Coastal agricultural land may be converted from agricultural use and developed for urban use in compliance with the procedures of this chapter. (Ord. NS-365 § 21 (part), 1996)

21.202.040 Permits required.

No development, including but not limited to land divisions, as defined in Section 21.04.108 of this code shall occur without a coastal development permit having first been issued pursuant to Chapter 21.201 of this code. A master plan or a planned development permit processed according to Section 21.202.060 shall be considered a coastal permit if also processed in compliance with Chapter 21.201. (Ord. NS-365 § 21 (part), 1996)

21.202.050 Permitted uses on agricultural lands.

The provisions of this section shall apply to any coastal agricultural land which has not been approved for development pursuant to this chapter.

A. On any Class I through Class IV agricultural land the following uses only are permitted:

1. Cattle, sheep, goats and swine production; provided, that the number of any one or combination of said animals shall not exceed one animal per half acre of lot area. Structures for containing animals shall not be located within fifty feet of any habitable structure on the same parcel, nor within three hundred feet of an adjoining parcel zoned for residential uses.

2. Crop production.

3. Floriculture.
4. Horses, private use.
5. Nursery crop production.
6. Poultry, rabbits, chinchillas, hamsters and other small animals, provided not more than twenty-five of any one or combination thereof shall be kept within fifty feet of any habitable structure, or within three hundred feet of an adjoining parcel zoned for residential uses.
7. Roadside stands for display and sale of products produced on the same premises, with a floor area not exceeding two hundred square feet, and located not nearer than twenty feet to any street or highway.
8. Tree farms.
9. Truck farms.
10. Wildlife refuges and game preserves.
11. Other uses or enterprises similar to the above customarily carried on in the field of general agriculture including accessory uses such as silos, tank houses, shops, barns, offices, coops, stables, corrals, and similar uses required for the conduct of the uses above.

12. One single-family dwelling per existing legal building parcel.

B. On any Class V through VIII agricultural land the following uses only are permitted:

1. All of the permitted uses listed above.
2. Hay and feed stores.
3. Nurseries, retail and wholesale.
4. Packing sheds, processing plants and commercial outlets for farm crops, provided that such activities are not located within one hundred feet of any lot line.
5. Greenhouses, provided all requirements for yard setbacks and height as specified in Chapter 21.07 of this code are met. (Ord. NS-365 § 21 (part), 1996)

21.202.055 Lot and yard standards— Agricultural lands.

The provisions of this section shall apply to any coastal agricultural land which has not been approved for development pursuant to this chapter.

A. The minimum required lot area of any newly created lot shall not be less than ten acres unless the city council finds that smaller parcel sizes will not adversely affect the agricultural use of the property.

B. Every newly created lot shall have a minimum width of the rear line of the required front yard of not less than three hundred feet.

C. Every lot shall have a required front yard of forty feet. Except as otherwise provided in Section 21.202.050 no building or structure shall be located on the required front yard.

D. Every lot and building site shall have a side yard on each side of the lot or building site not less than fifteen feet in width unless otherwise permitted by Section 21.202.050.

E. Every lot and building site shall have a rear yard of not less than twenty-five feet unless otherwise permitted by Section 21.202.050.

F. No building or structure shall exceed thirty-five feet in height.

G. Buildings and structures shall not cover more than forty percent of a lot.

H. All residential structures shall conform to the provisions of Section 21.07.120 of this code. (Ord. NS-365 § 21 (part), 1996)

21.202.060 Development of coastal agricultural land.

Coastal agricultural lands may be converted from agricultural to urban uses pursuant to the following procedures:

A. Zoning Approvals:

1. For property over one hundred acres in area a master plan shall be submitted and processed according to the provisions of Chapter 21.38 of this code. The uses permitted pursuant to the master plan shall be those permitted by the provisions of the Carlsbad general plan and certified local coastal program in effect at the time the application is submitted.

2. For property less than one hundred acres in area, a planned development permit shall be submitted and processed pursuant to Chapter 21.45 or 21.47 of this code, whichever is applicable. The uses permitted pursuant to the planned development

permit and the development standards shall be as follows:

Land Designation on Carlsbad General Plan	Permitted Uses and Development Standards
Residential low density	R-1 40000
Residential low medium density	R-1 10000
Residential medium density	RD-M
Residential medium to high density	RD-M
Planned industrial	P-M

(Map Y of the certified local coastal program shows existing permitted land use categories)

B. Development Permitted Based Upon Mitigation of Lands Zoned Coastal Agricultural. A master plan or planned development permit for urban development of lands zoned coastal agriculture shall, in addition to complying with all aspects of the city's general plan, include the following items:

1. An enforceable, nonrevocable commitment by the property owner to preserve permanently one acre of prime agricultural land within the California coastal zone for each net impacted acre of non-prime coastal agricultural land in the local coastal program proposed for development. The preserved land shall be located in an area selected by the State Coastal Conservancy and approved by the city council. This enforceable commitment shall require, prior to issuance of a building permit, the permanent transfer or dedication of interest in the prime agricultural land to a grantee, that is a local or state agency, or a tax exempt organization qualifying under Section 501(c)(3) of the U.S. Internal Revenue Code. Grantees also shall be limited to organizations and agencies whose principal purposes are consistent with the preservation of agriculture.

2. The following documentation pertaining to the prime agricultural land outside the local coastal program that is being permanently preserved:

a. Parties. Identification of the grantor and grantee (i.e., property owner, and government agen-

cy or tax exempt organization having a letter determination from the IRS documenting qualification per Section 501(c)(3) of the Internal Revenue Code).

b. Legal Description. A legal description of the prime agricultural lands being preserved.

c. Type and Purpose of Easement. A clear statement defining the type and purpose of the easement or other form of property interest being used to protect prime agriculture. Acceptable interests include, but shall not be limited to, conservation easements, transfers in trust, common law easements, open space easements, restrictive covenants, equitable servitudes, fee ownership or any other permanent restriction approved by the city council.

d. Statement of Intent. A statement of intent by the grantor shall be submitted declaring an intent to protect agricultural land through the creation of easements or other interests running with the property, and a declaration of intent by the grantee to honor such grantor intent in perpetuity.

e. Documentation. Maps, reports, aerial photographs shall be incorporated into the easement showing evidence of the agricultural lands that grantor and grantee intend to preserve.

f. Rights, Restrictions, Permitted Uses and Reservations. Grantee shall demonstrate the necessary authority to monitor and enforce compliance with terms of the agreement as the trustee or guardian. Restrictions shall prescribe all reasonable foreseeable activities that could be potentially harmful to conservation values.

g. Executory Limitation. Provisions for forfeiture of the easement or interest by the grantee to another qualified organization should the grantee fail to maintain the land for agricultural use, shall be included.

h. Assignment. Grantee shall agree to hold easements or interests for conservation purposes and guarantee that he will not transfer the easement except to an organization qualified to hold such interests under the relevant California and federal laws and the terms of this section.

i. Habendum Clause. The interest in property shall inure to the benefit of the grantee. All restrictions shall bind all subsequent purchasers or title

holders of the restricted land and shall continue as a servitude running with the land in perpetuity.

3. Prior to building permit issuance, the property owner shall present to the city manager proof of dedication by grantor and acceptance by grantee of an appropriate interest in prime agricultural lands pursuant to subsection (B)(2) of this section.

C. Urban Development of Lands Shown to be not Feasible for Continued or Renewed Agricultural Use. In lieu of the procedures established by subsection B or subsection D of this section property owners may complete an agricultural feasibility study prior to conversion of lands designated coastal agriculture. The purpose of the feasibility study shall be to determine, consistent with Section 30242 of the Coastal Act, if continued or renewed agriculture is feasible on the subject property.

1. An applicant or group of applicants may complete an agricultural feasibility analysis for one or any combination of the following study areas:

a. All coastal agricultural lands in the local coastal program area;

b. Individual feasibility analyses for each of five sub-units in the local coastal program (refer to Map X; located in the local coastal program land use plan);

	Approximate Acres
Site II	377
Site III	275
Site IV	109
Lusk/Bankers Site	120
Carlitas Site	301.38

c. An individual study for the Hunt property may be submitted as part of a submitted master plan for each of its sub-units; or

d. Feasibility studies may be submitted for contiguous land holdings of one hundred acres or more in single ownership.

2. Feasibility studies submitted for the purpose of determining the viability of continued or renewed agriculture on coastal agricultural parcel(s) shall provide the following:

a. Description of the farm unit under study including discussions of land capabilities, crop patterns, and minimum economic farm size.

b. Investment cost analysis including cost of land for agricultural purposes.

c. Farm unit cash flow analysis (production costs, income, etc.).

d. Tax considerations relative to feasibility.

e. Implications of future trends in water cost and availability, land and labor costs, and market competition.

3. Upon completion, the agricultural study shall be submitted to the city for review and approval concurrent with the filing of a master plan or planned development permit.

a. If the study finds that continued or renewed agriculture is feasible, the property owner has the choice of: (1) maintaining agricultural uses; or (2) proceeding with conversion and mitigation pursuant to the procedures set forth in subsection B of this section.

b. If the feasibility study finds that continued or renewed agriculture is not feasible and city council concurs, the city shall review the submitted master plan or planned development permit on its merits and for consistency with the other provisions of this code and the local coastal program. If city council determines that the development is in conformance with all provisions of the code and the local coastal program, it may be approved without mitigation for conversion of agricultural land. The approved feasibility study and master plan or planned development permit approved by the city shall be prepared as a local coastal program amendment and submitted to the Coastal Commission for certification. The master plan, planned development permit or coastal permit shall not be final unless the local coastal program amendment is approved by the Coastal Commission.

D. Agricultural Conversion Mitigation Fee and Expenditure Plan. In lieu of the procedures established by subsection B or subsection C of this section, property may be converted to urban uses upon payment of an agricultural conversion mitigation fee. The amount of the fee shall be determined by the city council at the time it considers a coastal development

permit for urban development of the property. The fee shall not be less than five thousand dollars nor more than ten thousand dollars per net converted acre of agricultural land and shall reflect the approximate cost of preserving prime agricultural land pursuant to subsection B of this section. The fees shall be paid prior to the issuance of building permits for the project. All mitigation fees collected under this section shall be deposited in the city of Carlsbad LCP agricultural mitigation fees program and shall be expended by the city council subject to the recommendations of a citizen advisory committee to be established by it. The intent is not to establish priorities for program use, but rather to promote reasonable distribution amongst the allowable uses outlined below. The advisory committee may also develop procedures for the review of requests. The city council shall make all final decisions regarding the use of funds. The allowable uses for the agricultural mitigation fees are:

1. Coastal and lagoon environment acquisition, maintenance, management and/or restoration involving wildlife habitat, open space preservation or aquaculture;

2. Purchase, improvement and/or maintenance of agricultural lands for continued agricultural production, or for the provision of research activities or ancillary uses necessary for the continued production of agriculture and/or aquaculture in the city's coastal zone including, but not limited to, farm worker housing;

3. Restoration and maintenance of beaches for public use including, but not limited to, local and regional sand replenishment programs, vertical and lateral beach access improvements, trails, roadways and other beach-related improvements that enhance accessibility, parking and/or use;

4. Improvements to existing or proposed lagoon nature centers.

E. Site I Special Restrictions. Notwithstanding anything to the contrary in this chapter, Site I as shown on Map X shall not be converted to urban use except as specifically permitted by the local coastal program provisions for urban development of Site I.

(Ord. NS-711 § 1, 2004; Ord. NS-365 § 21 (part), 1996)

21.202.070 Findings required before conversion to urban uses.

A. Where a property owner has agreed to preserve prime agricultural land elsewhere in the state coastal zone pursuant to Section 21.202.060 then the city council prior to approval of a master plan or planned development permit must find that:

1. The conversion would preserve prime agricultural land in a manner consistent with Section 30242 of the Public Resources Code, the certified local coastal plan and this chapter.

2. The master plan or planned development permit is consistent with the certified local coastal program.

3. Conversion would concentrate urban development consistent with Section 30250 in areas able to accommodate it, and within or adjacent to developed areas.

4. Conversion would be compatible with continued agriculture on adjacent agricultural lands.

5. Consistent with the certified local coastal program and Section 30241 of the Coastal Act, conversion would contribute to limiting conversions of prime agricultural land and create stable urban/rural boundaries within prime agricultural lands located elsewhere in the coastal zone.

B. Where a property owner has elected to complete an agricultural feasibility analysis, and the property owner and city agree, based on that analysis, that continued or renewed agriculture is not feasible on the subject lands, and a city council approved feasibility analysis and master plan/planned development permit must incorporate city findings declaring that:

1. Continued or renewed agriculture is not feasible on the subject parcel(s) and, consistent with Section 30242 of the Coastal Act, conversion of the parcels designated coastal agriculture in the land use plan shall not require the preservation of prime agricultural lands elsewhere in the coastal zone.

2. Development permitted is consistent with the certified local coastal program.

3. Permitted development is compatible with continued agriculture on adjacent agricultural lands.

C. Where a property owner has agreed to pay an agricultural conversion mitigation fee pursuant to Section 21.202.060 then the city council prior to approval of a master plan or planned development permit must find that:

1. The master plan or planned development permit is consistent with the certified local coastal program.

2. Conversion would be compatible with continued agriculture on adjacent agricultural lands.

3. The property owner has executed an agreement to pay the fee and the agreement has been approved by the city council. (Ord. NS-365 § 21 (part), 1996)

21.202.075 Development on coastal agricultural lands not consistent with underlying land use designations.

Conversions of coastal agricultural lands to urban uses other than those underlying land use designations identified on Map Y may be permitted pursuant to the procedures and findings set forth in Sections 21.202.060 and 21.202.070 subject to the preparation and submission of a local coastal program amendment for Coastal Commission certification. (Ord. NS-365 § 21 (part), 1996)

*** 21.202.080 Proximity of urban development to existing development areas.**

Urban development of agricultural lands shall be located:

A. Contiguous with or in close proximity to existing developed areas;

B. In areas with adequate public facilities and services;

C. Where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. (Ord. NS-365 § 21 (part), 1996)